

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Stamper
Typed by: David
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Proofread by _____
Checked by _____

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Beer and Wine Sampling or**
3 **Tasting License**

4 **MC 3–11**

5 FOR the purpose of expanding the list of alcoholic beverages licenses that the
6 Montgomery County Board of License Commissioners may issue in the City of
7 Takoma Park to include a beer and wine sampling or tasting (BWST) license;
8 authorizing the Board to issue a BWST license to certain persons; authorizing
9 certain holders of a BWST license to hold only wine tastings or samplings;
10 specifying the annual license fee; specifying certain conditions for the use of a
11 BWST license; specifying certain maximum quantities of alcoholic beverages
12 that may be consumed under certain conditions; specifying certain requirements
13 for applying for and issuing a BWST license; authorizing an applicant for a
14 BWST license to request a hearing before the Board under certain
15 circumstances; defining a certain term; and generally relating to alcoholic
16 beverages licenses in Montgomery County.

17 BY repealing and reenacting, with amendments,
18 Article 2B – Alcoholic Beverages
19 Section 8–216(d)(1)
20 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2005 Replacement Volume and 2010 Supplement)

2 BY adding to

3 Article 2B – Alcoholic Beverages

4 Section 8–408.2

5 Annotated Code of Maryland

6 (2005 Replacement Volume and 2010 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article 2B – Alcoholic Beverages**

10 8–216.

11 (d) (1) The Montgomery County Board of License Commissioners may
12 issue, renew, and transfer and otherwise provide for [7] 8 classes of alcoholic
13 beverages licenses in the City of Takoma Park as follows:

14 (i) Class B (on–sale) beer and light wine, hotel and restaurant
15 licenses;

16 (ii) Class H (on–sale) beer and light wine, hotel and restaurant
17 licenses;

18 (iii) Class B (on–sale) beer, wine and liquor, hotel and restaurant
19 licenses;

20 (iv) Class H–TP (on–sale) beer license;

21 (v) Class D–TP (on– and off–sale) beer and light wine license;

22 (vi) Class A–TP (off–sale) beer, wine and liquor license; [and]

23 (vii) Class C–TP (on–sale) beer, wine and liquor license; AND

24 **(VIII) BEER AND WINE SAMPLING OR TASTING (BWST)**
25 **LICENSES ISSUED UNDER § 8–408.2 OF THIS TITLE.**

1 **8-408.2.**

2 (A) **THIS SECTION APPLIES ONLY IN MONTGOMERY COUNTY.**

3 (B) **IN THIS SECTION, "BOARD" MEANS THE MONTGOMERY COUNTY**
4 **BOARD OF LICENSE COMMISSIONERS.**

5 (C) (1) **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
6 **BOARD MAY ISSUE A BEER AND WINE SAMPLING OR TASTING (BWST) LICENSE**
7 **TO A HOLDER OF A CLASS A LICENSE TO HOLD TASTINGS OR SAMPLINGS OF**
8 **BEER OR WINE.**

9 (2) **A HOLDER OF A CLASS A WINE LICENSE MAY USE A BWST**
10 **LICENSE TO HOLD TASTINGS OR SAMPLINGS OF WINE ONLY.**

11 (D) **THE ANNUAL LICENSE FEE FOR A BWST LICENSE IS \$200.**

12 (E) (1) **A BWST LICENSE AUTHORIZES SAMPLING OR TASTING OF**
13 **ALCOHOLIC BEVERAGES ONLY ON THE LICENSED PREMISES OF THE HOLDER OF**
14 **A CLASS A LICENSE.**

15 (2) **A HOLDER OF A BWST LICENSE MAY ALLOW CONSUMPTION**
16 **BY A SINGLE INDIVIDUAL FOR SAMPLING OR TASTING PURPOSES OF NOT MORE**
17 **THAN:**

18 (I) **1 OUNCE FROM A SINGLE BRAND OF WINE;**

19 (II) **4 OUNCES FROM ALL BRANDS OF WINE IN A SINGLE DAY;**

20 (III) **3 OUNCES FROM A SINGLE BRAND OF BEER; AND**

21 (IV) **12 OUNCES FROM ALL BRANDS OF BEER IN A SINGLE**
22 **DAY.**

23 (3) **ONCE OPENED, EACH BOTTLE USED FOR THE BEER AND WINE**
24 **TASTING OR SAMPLING SHALL BE MARKED THAT IT IS TO BE USED FOR THAT**
25 **PURPOSE ONLY.**

1 **(4) THE HOLDER OF A BWST LICENSE SHALL NOTIFY THE**
2 **BOARD IN WRITING AT LEAST 7 DAYS BEFORE EACH SAMPLING OR TASTING**
3 **EVENT.**

4 **(F) (1) AN APPLICATION FOR A BWST LICENSE SHALL BE MADE ON A**
5 **FORM SUPPLIED BY THE BOARD.**

6 **(2) A BWST LICENSE MAY BE ISSUED WITHOUT A PUBLIC**
7 **HEARING.**

8 **(3) IF AN INITIAL APPLICATION FOR A BWST LICENSE IS DENIED,**
9 **THE APPLICANT MAY REQUEST A PUBLIC HEARING BEFORE THE BOARD.**

10 **(4) THE BOARD MAY NOT REQUIRE THE PUBLICATION OF AN**
11 **APPLICATION FOR A BWST LICENSE BEFORE ISSUING THE LICENSE.**

12 **(5) A RENEWAL OF A BWST LICENSE MAY BE MADE AT THE TIME**
13 **THE HOLDER'S CLASS A LICENSE IS RENEWED.**

14 **(G) THE PROVISIONS OF THIS SECTION ARE NOT RESTRICTED BY:**

15 **(1) § 12-107(B) OF THIS ARTICLE; AND**

16 **(2) THE PROVISIONS IN § 9-102 OF THIS ARTICLE THAT PROHIBIT**
17 **THE ISSUANCE OF TWO LICENSES FOR THE SAME PREMISES.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2011.